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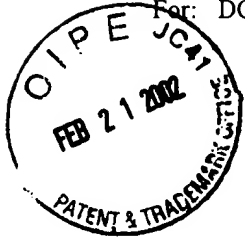
Response to Restriction Requirement

J. H. Geerke

Serial No.: 09/735,989

Filed: 13 December 2000

For: DOSAGE FORMS HAVING A BARRIER LAYER TO LASER ABLATION



PATENT

Docket No. ARC2940R1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	J. H. Geerke)	Group Art Unit:	1616
)		
Serial No.:	09/735,989)	Examiner:	R. Dewitty
)		
Filed:	13 December 2000)		
For:	DOSAGE FORMS HAVING A BARRIER LAYER TO LASER ABLATION			

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

In response to the Office Action mailed 18 January 2002, please enter the following remarks in the above-identified application as follows:

In response to the Restriction Requirement, Applicants hereby elect, with traverse, the claims set forth in Group I, (claims 1-9, and 13-21), drawn to a dosage form. The Restriction Requirement is hereby traversed on the basis that restriction requirements are optional in all cases (M.P.E.P. §803). If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it arguably may include claims to distinct or independent inventions (M.P.E.P. §803).

In the present application, as the elected claims are closely related to the claims of Group II (also drawn to a dosage form), and Group III (drawn to methods for controlling laser ablation), the search and examination of all the claims can be made without serious burden upon the Patent Office. In particular, the claims of Groups II and III can be efficiently and effectively searched in

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a single search with no additional burden placed on the Examiner. That is, all the claims are so interrelated that a search of one group of claims will reveal art to the other.

Thus, were final restriction to be effected between the claims of Groups I, II, and III, a separate examination of the claims in these groups would require substantial duplication of work on the part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I, II, and III, would have to be as rigorous as when only the claims of Group I, for example, were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims are so interrelated. Furthermore, Applicants respectfully submit that for restriction to be effected between the claims in Groups I, II, and III, it would place an undue burden upon the Applicants by requiring payment of separate filing fees for examination of the nonelected claims, as well as the added costs associated with prosecuting three applications and maintaining three patents.

Summary

The Examiner is invited to contact Applicants' Representative at the below-listed telephone number if it is believed that prosecution of this application may be assisted thereby.

CERTIFICATE UNDER 37 C.F.R. 1.8

The undersigned hereby certifies that this paper is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on this 6th day of FEB., 2002.

Katrina M. Ghafghaichi
Katrina Ghafghaichi

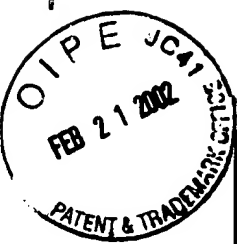
Respectfully Submitted,

ALZA Corporation
1900 Charleston Road
Mountain View, CA 94043
(650) 564-5000

06 FEB 2002
Date

By:

Paul B. Simboli
Paul B. Simboli
Reg. No. 38,616
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Please type a plus sign (+) inside this box → ☐

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<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>	Application Number	09/735,989
	Filing Date	December 13, 2000
	First Named Inventor	Johan H. Geerke
	Group Art Unit	1616
	Examiner Name	Dewitty, Robert
Total Number of Pages in This Submission	Attorney Docket Number ARC2940R1	

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<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Acknowledgement Postcard Restriction Requirement Cert. of Mailing First Class
Remarks: <div style="border: 1px solid black; height: 40px; width: 100%;"></div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Paul B. Simboli; ALZA Corporation
Signature	<i>Paul B. Simboli</i>
Date	06 FEB 2002

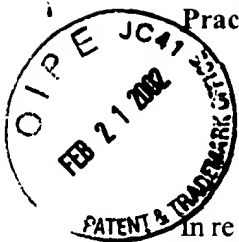
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Typed or printed name	KATRINA M. GHAFGHAICHI		
Signature	Katrina M. Ghafghaichi	Date	02-06-02

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Practitioner's Docket No. ARC2940R1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Application No.: 09/735,989

Filed: 12/13/2000

For: Dosage Forms Having a Barrier Layer to Laser Ablation

Geerke, Johan H.

Group No.: 1616

Examiner: Dewitty, Rober

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Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. section 1.8(a)

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Restriction Requirement

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

On: February 6, 2002

Katrina M. Ghafghaichi
Signature of person mailing paper